

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7062

BILL NUMBER: HB 1306

NOTE PREPARED: Jan 10, 2007

BILL AMENDED:

SUBJECT: Missing Persons.

FIRST AUTHOR: Rep. Cheatham

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires a law enforcement agency that receives a report of a missing person to take certain steps to locate the missing person and requires a coroner having custody of unidentified human remains to take certain steps to attempt to identify the remains. The bill makes other changes.

Effective Date: July 1, 2007.

Explanation of State Expenditures: The bill could affect administrative expenses for the Indiana State Police (ISP). The specific impact will depend on the number of persons reported missing and how existing procedures align with the procedure outlined in the bill. It is assumed that the ISP could implement the provisions in the bill given its existing level of staff and resources.

The bill requires the ISP superintendent to consult with a coroner, a pathologist, or another medical professional, to develop guidelines and other information concerning the best practices for handling a scene of death and provide the guidelines and information to local law enforcement agencies. The superintendent must also inform local agencies of relevant publications or training opportunities. Any increased expenses associated with this provision will depend on how the ISP elects to implement the provisions of the bill and communicate with local agencies. Electronic communications or a website would result in minimal additional expenses.

If human remains have not been identified after 30 days, the coroner or other person having custody of the remains must request the ISP to enter information that may assist in the identification of the remains into the National Crime Information Center data base and any other appropriate data base. The ISP must upload relevant DNA profiles from the remains to the missing persons data base of the State DNA Index System and

the National DNA Index System. The ISP must also ensure that a person who enters data relating to medical or dental records in a data base has the appropriate training to understand and correctly enter the information. This provision could increase administrative expenses for ISP. The impact will depend on how existing procedures align with the procedure outlined in the bill. It is assumed that the ISP could implement the provisions in the bill given its existing level of staff and resources.

For FY 2006, the ISP reverted \$2.5 M in state General Fund revenues.

Explanation of State Revenues:

Explanation of Local Expenditures: *Law Enforcement Agencies:* The bill could increase administrative expenses for law enforcement agencies. The specific impact will depend on the number of persons reported missing and how existing procedures align with the procedure outlined in the bill. It is assumed that local units could implement the provisions in the bill given their existing levels of staff and resources.

Coroners: A coroner may not dispose of unidentified human remains or take any other action that will materially affect the condition of the remains until the coroner has taken reasonable steps to identify the remains. If human remains have not been identified after 30 days, the coroner or other person having custody of the remains must request the ISP to enter information that may assist in the identification of the remains into the National Crime Information Center data base and any other appropriate data base.

If unidentified human remains are identified as belonging to a missing person, the coroner must notify the law enforcement agency handling the missing persons case that the missing person is deceased and instruct the law enforcement agency to make documented efforts to contact family members. No person may order the cremation of unidentified human remains. The bill could increase administrative expenses for coroners. The specific impact will depend on how existing procedures align with the procedure outlined in the bill. It is assumed that coroners could implement the provisions in the bill given existing levels of staff and resources. However, the impact will vary from agency to agency.

Explanation of Local Revenues:

State Agencies Affected: ISP.

Local Agencies Affected: Law enforcement agencies and coroners.

Information Sources:

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